

Board Members Present: _Steve Mullins, Chair
 _Melanie Fuerst
 _Dave Iasevoli
 _Philip Smith, alternate

Others present: Attorney Brian Reichenbach, Zoning Administrator Craig Leggett, Tod Beadnell, Aurabell Beadnell, John Francisco

Meeting called to Order: 7:00 p.m.

Pledge

Review of Minutes: Melanie Fuerst made a motion to accept the April 17, 2024 minutes as written. Seconded by Phil Smith. **ALL AYES.**

NEW BUSINESS: **File #: 2024-01 Pre-Application for a Major Subdivision**
 Tax Map #: 70.2-32.1
 Andy and Susan Beadnell
 East Schroon River Rd.

Requesting a Pre-Application for a 6 Lot Major Subdivision that is also a Class A project.

Chair Steve Mullins stated that this is a pre-application, and asked Tod Beadnell, representing Andy and Susan Beadnell, to walk the Board through the proposal.

Tod Beadnell laid out the history of the parcel, and what the proposed subdivision entails. The original subdivision plan, done in 1992 by Dennis Dickinson, was for 10 lots, but the APA decided to cut back the number of lots to six due to the steep grade of the lower lots. The plan includes common property for access to the water (across the road). Each lot owner would have to come in for their own dock application. There are wetlands involved.

Melanie Fuerst asked about the 30' swath at the back line of the subdivision, and why a test pit was done. Chair Steve Mullins asked if it would be used as an access road. Tod Beadnell said it had been made when the radio/cell tower was going to be built, but the tower ended up being put in at the lower end of the property. Chair Steve Mullins asked if it would be used as an access road, but Tod Beadnell said he doubted it, as everyone would have their own driveway.

Chair Steve Mullins asked about the fact that the parcel was showing in both an LC10 and an RR10 zoned area. ZA Craig Leggett said that it is split between the two, but both zones have the same density.

Chair Steve Mullins mentioned that several of the lots were less than the 10-acre minimum, and Tod Beadnell said they are, but he asked for the Board's consideration in that they all share 18 acres, so they would all have a 1/6th interest in that; so you could get an extra three acres per lot. Melanie Fuerst suggested that lines for the lots could be shifted to make each lot 10 acres.

Attorney Brian Reichenbach doesn't believe an undivided 1/6th interest would satisfy the 10-acre minimum, or there would have to be variance requests.

Phil Smith brought up the point that since it's wetlands, you really wouldn't be able to do much with it.

ZA Craig Leggett believes it's the overall average parcel size that matters, as that can be divided up into 10 lots, and averaged out for the lots. A stipulation could possibly be made that the last, larger lot, could have a deed restriction that no further subdivision would be allowed. He referenced the subdivision done on Valentine Pond Rd.

Chair Steve Mullins said that due to the large wetlands involved, this pre-application will need to be sent to the APA for their review and recommendations, and then it will be sent back to the Town for its agreement to it.

Melanie Fuerst pointed out a parcel measuring 100' x 200', shown as 10B on the tax map but is not indicated on the Dickinson map, but it does need to be shown, even though it will be absorbed into the main lot. (Later in the discussion this parcel was found in Lot 4, where it is outlined but not identified. Melanie stated again that it needs to be identified.) Melanie then asked what the Schroon Lake Park District was, to which ZA Craig Leggett responded that it is all properties within 1000 feet of the Schroon River or Schroon Lake; it has its own tax district.

Chair Steve Mullins asked if the houses to be built would be close to the road or further back in the property, referencing the gradient lines on the topo map. Tod Beadnell said Dennis Dickinson did all the perc tests and test pits, so he will check that information as to where the better building sites would be located on the lots. Chair Steve Mullins asked if the soil type was amendable to test pits and perc tests. Tod Beadnell answered he believed so. ZA Craig Leggett said that Bret Winchip also did perc tests in 2015, and he produced the test results, which Tod Beadnell read through.

Chair Steve Mullins stated that it doesn't appear there would be much of an impact on public services (other than maybe some culverts being put in) or on other properties; the plan is consistent with the Master Plan for the Town; there are no foreseeable problems with septic systems; and the topography of the area shows some steep areas but does level off.

Melanie Fuerst added that there doesn't appear there would be any sight issues with people pulling out of their driveways onto the main road.

ZA Craig Leggett asked about the slope of the driveways, as some of the lots have a steeper grade, and Tod Beadnell said he prefers an 8% grade. He also asked if there needed to be a turnaround for emergency vehicles, but Tod Beadnell said he didn't believe so, as these would be private drives.

Chair Steve Mullins asked if there are any special site or community problems involved in the development; remarked that the community is pretty sparse there. He doesn't see any issues. Melanie Fuerst stated that she thinks that it'll fit in. They're 10-acre lots, as zoning calls for. APA will have a lot to say about docks.

Chair Steve Mullins said the APA will certainly have a lot to say about the 18 acres and the access to the river, including any boardwalks. For APA purposes, a complete topo of the lots and a distance beyond them will be needed. The APA may restrict to the narrowest part for a boardwalk, which goes back to the issue of if you're trying to assign a portion of that 18 acres that the APA says on that small narrow portion could really be communally used, that would not allow you to consider the fact that you could put some of that property in the other lots and make them 10-acres plus.

Melanie Fuerst stated that it will be necessary to show proposed house sites, driveway and clearing limits on the map to send into APA. APA would also send someone down to walk through to survey the siting, if requested.

Chair Steve Mullins asked if there are any streams coming down through the lots, and Tod Beadnell said one lot (Lot 6) shows a stream, but he has never seen any water in it; it's very seasonal.

Chair Steve Mullins asked if there is any thought about future subdivision for Lot #6 (75 acres), and Tod Beadnell replied he doesn't think so. Chair Steve Mullins asked if there would be any problem to adjust the proposed boundary lines to make the lots 10 acres, and Tod replied no.

Philip Smith asked then, that Lot #6 is a lot to be sold? Would the purchaser be able to subdivide? Tod Beadnell believes the Planning Board could possibly put a deed restriction on that so the lot couldn't be subdivided.

Chair Steve Mullins said the APA will need a pre-application sketch, name, address, boundary survey data, zoning district boundaries, topo contours, existing drainage features, maps of existing soil type indicating perc and soil borings, present site conditions, woodlot sites, and where you'd have to cut out for proposed house sites.

Melanie Fuerst added that the APA will also need boundary survey data with bearings and distances around the whole parcel, zoning district boundary lines, name and address of subdivision (including the 911 address), proposed well, proposed septic, clearing limits around driveway sites. She also confirmed with Tod Beadnell that the last survey was done in 2015. She stated that she doesn't believe that the NYS Department of Health would need new perc tests and soil borings done, but that that data will also have to be put on the map. She asked if Bret Winchip's survey had been recorded with the County, but ZA Craig Leggett doesn't believe it has.

Phil Smith asked if a replacement system is still required, and Melanie Fuerst said yes, a 100% system plus 50%, in case any of the lines don't work and back up into the house.

ZA Craig Leggett asked if a JIF has been done yet. Tod Beadnell responded no, but there's no hard timetable on this.

Attorney Brian Reichenbach asked Tod Beadnell if he would waive any pre-application time limits, and Tod said yes.

Chair Steve Mullins said the clock starts ticking on the Board's 40 days to approve a pre-application, and the APA may take that much time, so what he'd like to see is for the pre-application to be given to the Board after Beadnells have made the changes that were discussed this evening, submit it to the APA and when the Board gets it back the 45 day clock starts. The Board can turn it around and keep it from being in a time crunch.

ZA Craig Leggett stated that somewhere along in the process the APA will send to the Board that they're requesting consultation, and Melanie Fuerst added that that would be a meeting of the Zoning Officer, Board Chairman, Client and APA.

Chair Steve Mullins said that the Board does not need to approve or disapprove the pre-application tonight. This is just giving Beadnells the information they need to go to the APA and then come back to the Board. Once changes are made, then Beadnells can submit the application.

PUBLIC COMMENTS:

John Francisco asked if Roy Mihill (adjacent homeowner) has any objection to the subdivision, and Tod Beadnell said no. John also raised concerns about light pollution caused by the proposed new housing, but Tod said the only light would be household lighting.

There being no further comments, motion to adjourn was made by Philip Smith. Seconded by Dave Iasevoli. **ALL AYES.**

Meeting adjourned: 7:50 p.m.

Next meeting: June 19, 2024

Respectfully submitted,

Becky Ross